IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

WP(C).No. 32002 of 2006(I)

PETITIONER:

CHINNAMMA KURIAKOSE,
W/O.LATE KURIAKOSE, MANAGING PARTNER,
SUPER AUTOMOTIVES & ENGINEERING WORKS,
PRALAIKADU, THURUTHY P.O., PERUMBAVOOR,
ERNAKULAM DISTRICT.

BY ADV. SRI.PAULY MATHEW MURICKEN
SRI.TOMMY LOUIS
SRI.V.A.SHAJI
SRI.JE VARGHESE FRANCIS

RESPONDENTS:
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1. DEPUTY SUPERINTENDENT OF POLICE,
PERUMBAVOOR.

2. CIRCLE INSPECTOR OF POLICE,
KURUPPAMPADY.

3. SUB INSPLECTOR OF POLICE,
KURUPPAMPADY.

4. P.N.SIVAN,
POOPPANI VEEDU,
KRARIYELI KARA, KOMBANADU P.O.,
PERUMBAVOOR.

5. BIJU P.T.,
PARACHALIL HOUSE, KRARIYELI KARA,
KOMBANADU P.O., PERUMBAVOOR.

6. P.S.SUNEESH KUMAR,
POOKODUKUDI HOUSE,
RAYAMANGALAM KARA, RAYAMANGALAM P.O.,
PERUMBAVOOR.

BY ADV. SRI.RAJESH VIJAYAN FOR R4 TO R6
R1 TO R3 BY G.P.SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.32002/2006

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE PHOTOCOPY OF THE F.I.R. IN CRIME NO.420/2006 OF KURUPPAMPADY POLICE STATION.

EXT.P2: A TRUE PHOTOCOPY OF THE STATEMENT DATED 20.11.2006 GIVEN TO THE POLICE BY PETITIONER'S SON, REJI KURIAKOSE, FROM SANJOE HOSPITAL, PERUMBAVOOR.

EXT.P3: A TRUE PHOTOCOPY OF THE SUSPENSION MEMO DATED 21.11.2006 ISSUED BY THE PETITIONER TO RESPONDENTS.

EXT.P4: TRUE PHOTOCOPY OF THE LAWYER NOTICE DATED 28.11.2006 ISSUED BY THE PETITIONER TO RESPONDENTS.

EXT.P5: TRUE PHOTOCOPY OF THE REPRESENTATION DATED 28.11.2006 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT WITH COPY TO THE 2ND RESPONDENT.

EXT.P6: TRUE PHOTOCOPY OF THE RECEIPT BEARING NO.70875 DATED 28.11.2006 ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT.

EXT.P7: TRUE PHOTOCOPY OF THE RECEIPT BEARING NO.70990 DATED 28.11.2006 ISSUED TO THE PETITIONER BY THE 3RD RESPONDENT.

RESPONDENTS' EXHIBITS:

EXT.R4(a): TRUE COPY OF THE FIRST INFORMATION REPORT AND FIRST INFORMATION STATEMENT.

// TRUE COPY //

TKS

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(C)NO.32002 OF 2006

Dated 13th December, 2006

JUDGMENT

Koshy,J.

This is a petition for police protection. According to the petitioner, respondents 4 to 6 and their supporters are causing assault and obstructions to the running of the petitioner's establishment. Respondents 4 to 6 filed a counter affidavit stating that they are not obstructing the working of the petitioner's establishment and they are not assaulting him. In fact, according to them, members of the unions are assaulted the petitioner and two crimes were registered. The crimes registered should be investigated according to law and we are not expressing any opinion regarding the investigation. The submission of the respondents 4 to 6 that they are not creating any obstructions in the working of the petitioner's establishment is recorded. If petitioner is violating any of the provisions of the labour laws as alleged by respondents 4 to 6, they can approach the statutory authority and if they approach the statutory authority, the authority shall take remedial measures, but, both parties shall not take law into their hands. In the above circumstances, this writ petition is disposed of

directing the police to see that lives of the petitioner, his family members, willing employees and contesting respondents are not endangered and working of the factory shall not be obstructed.

J.B.KOSHY
JUDGE

K.PADMANABHAN NAIR
JUDGE

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